

REMARKS

Upon entry of the present response, claims 35 and 36 will have been amended. Claims 2-18, 20-21, and 23-38 remain pending in the present application, with claims 1, 19, and 22 having been previously canceled.

Initially, Applicants would like to thank the Examiner for conducting telephone interviews with a representative for Applicants, John Mazzola, on January 19, 2007; January 23, 2007; and February 7, 2007. During the telephone interview of January 19, 2007, the Examiner agreed to withdraw the finality of the Office Action of November 15, 2006. Applicants note that the Examiner had previously agreed to withdraw the finality of the November 15, 2006 Office Action during a previous telephone interview with Mr. Mazzola on November 22, 2006, but nonetheless issued an Advisory Action on January 17, 2007.

During the telephone interview of January 23, 2007, the Examiner indicated that he would withdraw the rejections of claims 23-38 if Applicants added the term "executable by a computer" after the term "computer program" in the preamble of claims 35 and 36, which Applicants have done in the present amendment. Applicants note that the amendment to the claims was made for enhanced clarity and does not change the scope of the claims.

Applicants would also like to thank the Examiner for his instruction, a copy of which was included with the non-final Office Action of January 31, 2007, to have Applicants' Response of December 22, 2006 entered. In the non-final Office Action of January 31, 2007, the Examiner rejected claims 23-38 under 35 U.S.C. § 101 for

allegedly being directed to non-statutory subject matter. Further, the Examiner also rejected claims 2-21 under 35 U.S.C. § 101 because "the claim code are allegedly executing the methods" (it should be noted that claims 20 and 21 recite a system). See Office Action, page 2.

In the telephone interview of February 7, 2007, the Examiner indicated that he would withdraw the rejections of all of the pending claims if Applicants amended the preamble of claims 35 and 36 as discussed on January 23, 2007, and as described above, *i.e.*, by adding the term "executable by a computer" after the term "computer program", which Applicants have done in the present amendment. As indicated above, Applicants note that the amendments to claims 35 and 36 were made for enhanced clarity and do not change the scope of the claims.

Although Applicants disagree with the Examiner's rejections of claims 23-38 under 35 U.S.C. § 101, Applicants have amended claims 35 and 36 in order to expedite prosecution. Further, Applicants submit that the Examiner's rejection of claims 2-21 under 35 U.S.C. § 101 is inappropriate. Claims 2-18 and 20-21 recite either a method or a system and not code. Accordingly, the Examiner is respectfully requested to provide support for and explain his rejection of claims 2-21, or otherwise withdraw the rejections thereof.

Although Applicants have not acquiesced in the propriety of the Examiner's rejections, Applicants have amended claims 35 and 36 in the manner discussed above in accordance with the telephone interviews conducted on January 23, 2007 and February 7, 2007. Moreover, Applicants further submit that the amendments to the

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claims are not narrowing amendments. Thus, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections of the claims, as well as an indication of the allowability of each of the claims 2-18, 20-21, and 23-38 in view of the present remarks.

SUMMARY AND CONCLUSION

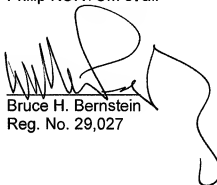
Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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